

Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
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REMARKS

Claims 46-88 are pending in the subject application. In the February 9, 2006 Office Action, the Examiner indicated that claims 46-62, 68, 71, and 72 are "linking" claims and then set forth a restriction requirement among claim Groups I to XIX. Of these the Examiner identified Groups I to XIV as "linked" claims. The Examiner further indicated that upon allowance of the "linking claims", the restriction requirement would be withdrawn as to the "linked" claims which would then be examined in the subject application. The Examiner further required that applicants elect one of Groups I to XIX in response to the restriction requirement.

In response, applicants hereby elect, with traverse, Group XIV, i.e., claims 64, 65, and 69, although claims 64 and 69 have been canceled hereinabove without disclaimer or prejudice to applicants' right to pursue the subject matter of these claims and claim 65 has been amended to depend from claim 46 rather than canceled claim 64. Applicants have also canceled claims 47, 48, 63, 64, and 66-88 without disclaimer or prejudice.

In addition, applicants have added new claims 89 and 90. Each of new claims 89 and 90 depend from claim 65 of elected Group XIV, and should be examined together with the claims of Group XIV. Finally, applicants have also amended claims 46 and 54-58 to more particularly recite the subject matter which they wish to pursue in this application and to make clear that claim 46 covers both prevention in a subject at risk for an ischemic disorder and treatment of a subject once such an event commences.

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Support for the amendments to claim 46 can be found in the specification at, *inter alia*, page 19, line 35 to page 20, line 3, page 20, line 10-12, page 20, line 36 to page 21, line 2 and page 136, lines 3-21. Support for the amendments to claims 54-56 can be found in the specification at, *inter alia*, page 20, lines 31-34. Support for the amendments to claims 57 and 58 and can be found in the specification at, *inter alia*, page 20, lines 25-28. Support for new claims 89 and 90 can be found in the specification at, *inter alia*, page 135, line 28 to page 136, line 21.

Applicants maintain that this Amendment raises no issue of new matter and request entry of this Amendment. Upon entry of this Amendment, claims 46, 49-62, and 65 as amended, and new claims 89 and 90 will be pending in this application.

Supplemental Information Disclosure Statement

This Information Disclosure Statement is submitted to supplement to the Information Disclosure Statements filed October 3, 2003; June 15, 2004; September 16, 2004; and December 30, 2004. In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are also listed on the attached Form PTO-1449 attached hereto as **Exhibit 1**.

1. U.S. Patent Publication No. US 2003/0039638 A1, published February 27, 2003, in name of Bach, et al., a copy of which is attached as **Exhibit 2** hereto;
2. International Patent Publication No. WO 94/22482, published

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October 13, 1994, in name of DiSorbo, et al., a copy of which is attached as **Exhibit 3** hereto; and

3. International Patent Publication No. WO 95/35105 (English abstract), published December 28, 1995, in name of Herrmann, et al, a copy of which is attached as **Exhibit 4** hereto.

Applicants request that the Examiner consider these references, initial the attached Form PTO-1449 and make the references of record in the subject application.

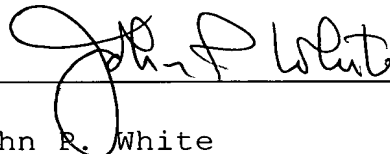
Applicants are filing this Information Disclosure Statement under 37 C.F.R. §1.97(b)(3) before the mailing of a first Office Action on the merits. Accordingly, no fee is deemed necessary in connection with the filing of this Information Disclosure Statement.

No fee, other than the enclosed \$120.00 fee for a one-month extension of time, is deemed necessary in connection with the filing of this Amendment; and a check for \$120.00 is enclosed herewith. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

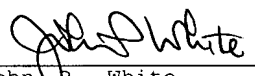
Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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 4/10/06
John P. White Date
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